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BRINKS  
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GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kevin P. Baker, et al.

Appln. No.: 09/944,929

Filed: August 31, 2001

For: SECRETED AND TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

Attorney Docket No: 10466/140 (P2584P1C21)

Examiner: Nancy T. Vogel

Art Unit: 1636

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Commissioner for Patents  
U.S. Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☒ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_
- ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on September 2, 2005
- ☐ Other: \_\_\_\_\_

☒ Attached is/are:

- ☐ An Information Disclosure Statement
- ☐ An Amendment to the written description, claims, or drawings
- ☒ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: \_\_\_\_\_

☐ Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

- ☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
- ☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_ and such status is still proper and desired.
- ☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

- ☒ A Request fee of \$790.00 under 37 C.F.R. §1.17(e).
- ☐ A suspension processing fee of \$\_\_\_\_\_ under 37 C.F.R. §1.17(i).
- ☐ An additional filing fee of \$\_\_\_\_\_ under 37 C.F.R. §1.16 (\_\_\_\_\_ additional independent claims and/or \_\_\_\_\_ additional total claims).
- ☐ An extension fee of \$\_\_\_\_\_ under 37 C.F.R. §1.17(a) for a \_\_\_\_\_-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

- ☒ A check in the amount of \$790.00 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A copy of this Request is enclosed for this purpose.
- ☐ A payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

16 March 2006  
Date

C. Noel Kaman  
C. Noel Kaman (Reg. No. 51,857)